

111TH CONGRESS  
2D SESSION

# S. 3055

To require the Secretary of Commerce to award grants to municipalities to carry out community greening initiatives, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 1, 2010

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To require the Secretary of Commerce to award grants to municipalities to carry out community greening initiatives, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Green Communities  
5       Act of 2009”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress makes the following find-  
8       ings:

1           (1) Landscaping adds to the economic value  
2           and sales appeal of commercial real estate and in-  
3           creases office occupancy rates.

4           (2) Greening can change people's perceptions of  
5           their neighborhoods, reduce violence and crime, and  
6           increase neighborhood stability.

7           (3) Planting new trees, improving streetscapes,  
8           and cleaning vacant lots increases property values.

9           (4) People will stay longer and shop more in  
10          shopping districts that are well landscaped.

11          (5) Improvements to neighborhood parks in-  
12          crease the value of single-family homes in the sur-  
13          rounding community.

14          (6) Homes adjacent to vacant lots that are  
15          greened have a much higher property value than  
16          homes adjacent to vacant lots that have not been  
17          greened.

18          (b) PURPOSES.—The purposes of this Act are as fol-  
19          lows:

20               (1) To promote investment in greening projects  
21               and programs as effective economic development  
22               tools.

23               (2) To connect urban economic development ini-  
24               tiatives with environmental initiatives.

25               (3) To improve quality of life for city residents.

1 (4) To encourage public-private partnerships.

2 **SEC. 3. DEFINITIONS.**

3 In this Act:

4 (1) **COMMUNITY GREENING INITIATIVE.**—The  
 5 term “community greening initiative” means a pro-  
 6 gram that increases economic development by im-  
 7 proving the environment. A community greening ini-  
 8 tiative may include the following:

9 (A) Revitalizing municipal parks and pub-  
 10 lic spaces.

11 (B) Landscaping community gateways and  
 12 key corridors.

13 (C) Tree plantings and urban forestry  
 14 projects.

15 (D) Comprehensive planning for open  
 16 space preservation.

17 (E) Education, training, and volunteer  
 18 management concerning community green ini-  
 19 tiatives.

20 (F) Green roof construction.

21 (G) Green stormwater infrastructure.

22 (H) Vacant lot management.

23 (2) **GREEN ROOF.**—The term “green roof”  
 24 means a roof consisting of vegetation and soil or a

1 growing medium planted over a waterproofing mem-  
2 brane.

3 (3) GREEN STORMWATER INFRASTRUCTURE.—

4 The term “green stormwater infrastructure” means  
5 systems and practices that use or mimic natural  
6 processes to infiltrate, evapotranspire, or reuse  
7 stormwater on the site where it occurs rather than  
8 transporting the water to a stream or treatment fa-  
9 cility.

10 (4) NONPROFIT ORGANIZATION.—The term

11 “nonprofit organization” means an organization that  
12 is described in section 501(c)(3) of the Internal Rev-  
13 enue Code of 1986 and exempt from tax under sec-  
14 tion 501(a) of such Code.

15 (5) SECRETARY.—The term “Secretary” means

16 the Secretary of Commerce.

17 (6) URBAN FORESTRY.—The term “urban for-

18 estry” means an integrated citywide or neighbor-  
19 hood-wide approach to the planting, care, and man-  
20 agement of trees in the city or the neighborhood in  
21 order to ensure environmental and social benefits for  
22 residents.

23 **SEC. 4. GRANTS FOR COMMUNITY GREENING INITIATIVES.**

24 (a) GRANTS.—

1           (1) IN GENERAL.—To the extent that funds are  
2           available, the Secretary shall, acting through the As-  
3           sistant Secretary of Commerce for Economic Devel-  
4           opment, award grants to eligible municipalities to  
5           carry out community greening initiatives.

6           (2) GRANT AMOUNT.—The Secretary may not  
7           award a grant under this section in an amount that  
8           exceeds \$2,000,000.

9           (b) ELIGIBLE MUNICIPALITIES.—For purposes of  
10          this section, an eligible municipality is any municipality  
11          that meets—

12           (1) the criteria described by section 209(b) of  
13          the Public Works and Economic Development Act of  
14          1965 (42 U.S.C. 3149(b)); and

15           (2) the circumstances described by section  
16          209(c) of such Act (42 U.S.C. 3149(c)).

17          (c) SELECTION OF GRANT RECIPIENTS.—

18           (1) APPLICATION.—An eligible municipality  
19          seeking a grant under this section for a community  
20          greening initiative shall submit to the Secretary an  
21          application therefor in such form and in such man-  
22          ner as the Secretary considers appropriate.

23           (2) SELECTION.—The Secretary shall, in con-  
24          sultation with the nonprofit organizations that re-  
25          ceive a grant or enter into a contract with the Sec-

1       retary under section 5(a), select to receive grants  
2       under this section 80 eligible municipalities that  
3       have successfully developed and planned a commu-  
4       nity greening initiative, as determined by the Sec-  
5       retary.

6           (3) LIMITATION.—The Secretary may not  
7       award a grant under this section to an eligible mu-  
8       nicipality for a community greening initiative that  
9       the Secretary determines will require more than 2  
10      years to complete.

11       (d) USE OF GRANT FUNDS.—Each eligible munici-  
12      pality receiving a grant under this section shall, with tech-  
13      nical assistance and training provided under section 5(c),  
14      use the grant to carry out the community greening initia-  
15      tive for which the grant is received.

16       (e) MATCHING REQUIREMENT.—An eligible munici-  
17      pality seeking a grant under this section for a community  
18      greening initiative shall agree to make available non-Fed-  
19      eral funds to carry out the community greening initiative  
20      in an amount equal to not less than 50 percent of the  
21      grant awarded to such eligible municipality under this sec-  
22      tion.

23       (f) REPORT.—Not later than 60 days after an eligible  
24      municipality that receives a grant under this section for  
25      a community greening initiative completes such initiative,

1 the eligible nonprofit organization that assisted such mu-  
 2 nicipality with such initiative under subsection (d) shall  
 3 submit to the Secretary a report assessing the implemen-  
 4 tation of such initiative.

5 **SEC. 5. TECHNICAL ASSISTANCE AND TRAINING FOR MU-**  
 6 **NICIPALITIES.**

7 (a) GRANTS OR CONTRACTS.—

8 (1) IN GENERAL.—To the extent that funds are  
 9 available, the Secretary shall award grants to, or  
 10 enter into contracts with, 5 eligible nonprofit organi-  
 11 zations to provide technical assistance and training  
 12 to municipalities that receive grants under section 4.

13 (2) DURATION.—A grant or contract under  
 14 paragraph (1) shall be for a period of 5 years.

15 (b) ELIGIBLE NONPROFIT ORGANIZATION.—For  
 16 purposes of this section, an eligible nonprofit organization  
 17 is any nonprofit organization that has experience with the  
 18 following:

19 (1) Planning and implementing projects con-  
 20 cerning urban open space, landscape management,  
 21 and community greening initiatives.

22 (2) Land and water conservation.

23 (3) Working with communities.

24 (4) Forming partnerships or regional consor-  
 25 tiums.

1 (5) Urban ecology.

2 (6) Such other experience as the Secretary con-  
3 siders appropriate.

4 (c) TECHNICAL ASSISTANCE AND TRAINING.—

5 (1) IN GENERAL.—Each eligible nonprofit orga-  
6 nization receiving a grant or entering into a contract  
7 under subsection (a) shall provide technical assist-  
8 ance and training to municipalities receiving grants  
9 under section 4 to assist such municipalities in car-  
10 rying out the community greening initiatives for  
11 which such grants were awarded.

12 (2) ACTIVITIES.—Technical assistance and  
13 training under paragraph (1) may include the fol-  
14 lowing:

15 (A) Developing, planning, implementing,  
16 and assessing community greening initiatives.

17 (B) Developing and implementing training  
18 and workshops for municipal agencies and local  
19 partners.

20 (C) Evaluating a community greening ini-  
21 tiative.

22 (d) REPORT.—Not later than 90 days after the end  
23 of each fiscal year for which amounts are made available  
24 for grants under this section, the Secretary shall submit  
25 to Congress a report on the technical assistance and train-



1 ing provided under this section. Each report shall describe  
 2 the actions taken by the Secretary to ensure that technical  
 3 assistance and training provided under this section is re-  
 4 sponsive to the needs of municipalities that receive grants  
 5 under section 4.

6 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There are authorized to be appro-  
 8 priated to carry out this Act—

9 (1) \$30,000,000 for each of fiscal years 2010,  
 10 2013, and 2014; and

11 (2) \$90,000,000 for each of fiscal years 2011  
 12 and 2012.

13 (b) RESERVATION OF FUNDS.—

14 (1) GRANTS FOR COMMUNITY GREENING INI-  
 15 TIATIVES.—Not less than 66 percent of the amounts  
 16 made available to carry out this Act for each of fis-  
 17 cal years 2011 and 2012 shall be made available for  
 18 the awarding of grants under section 4.

19 (2) TECHNICAL ASSISTANCE AND TRAINING.—  
 20 Of the amounts made available to carry out this Act,  
 21 amounts shall be made available for technical assist-  
 22 ance and training under section 5 as follows:

23 (A) For each of fiscal years 2010, 2013,  
 24 and 2014, 85 percent of such amounts.

1                   (B) For each of fiscal years 2011 and  
 2                   2013, 28 percent of such amounts.

3           (c) AVAILABILITY.—Funds made available under this  
 4 Act shall remain available until expended.

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